

Appl. No. 10/668,932

Amddt. dated May 16, 2006

Resubmission in reply to notice of non-compliant amendment of May 4, 2006

**REMARKS**

This amendment accompanies the filing of a REQUEST FOR CONTINUED EXAMINATION following a Final Office Action mailed November 29, 2005. The final office action rejected Applicant's Claims 1-4, 7-10, 13-17 and 19-21 as being anticipated by U.S. Pat. No. 6,904,362 ("Nakashima"). The Office Action rejected Claims 7, 9 and 17 as obvious in view of combination of Nakashima and U.S. Pat. No. 6,430,502 ("Pournain"), Claims 5, 6, 22 and 23 as obvious in view of Nakashima, and Claims 11, 12, 18 and 24-26 as obvious in view of combination of Nakashima and U.S. Pat. No. 6,477,459 ("Wunderlich").

With this response, Applicant has added new Claims 27-30 and amended Claims 1, 7-10 and 19. Applicant respectfully requests the Examiner to reconsider the present application. Applicant submits that all pending claims are in condition for allowance.

**Claim 1**

Applicant's amended independent Claim 1 relates to a method of facilitating delivery of traffic messages. The method recites obtaining data indicating traffic conditions, identifying a broadcast service area in which the traffic condition is located, and transmitting traffic messages that are "associated with a broadcast service area code identifying said broadcast service area in which said traffic condition is located." The claim further recites an end user computing platform receiving the traffic messages and "identifying said traffic messages having said broadcast service area code matching at least one predetermined broadcast service area code."

The advisory action and final office action indicated that column 7, lines 12-27 of the Nakashima patent supports broadcasting traffic data that are location specific. (*see* Final Office Action, pages 2-3). Applicant does not disagree that the Nakashima patent teaches broadcasting location specified traffic information; however, Applicant will respectfully point out that the cited references fail to disclose or suggest the recited broadcast service area code associated with traffic messages and the end user computing platform identifying traffic messages having the broadcast service area code matching a predetermined broadcast service area code.

First, the Nakashima patent completely fails to disclose or suggest that the end user computing platform identifying traffic messages having the broadcast service area code matching a predetermined broadcast service area code. In fact, the Nakashima patent does not provide any

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details regarding traffic messages broadcast by the beacons and does not provide any details regarding vehicles receiving the traffic messages. Rather, the description merely indicates that the roadside beacons, which provide traffic congestion information, may be used to pass communications regarding route guidance between the information center and the vehicle. (see: Nakashima, col. 2, lines 12-27).

Furthermore, the roadside beacons briefly mentioned in the Nakashima patent suggests the opposite of above cited claim elements because the roadside beacons transmit the traffic information pertaining to the precise road on which the roadside beacon is located. In the Nakashima system, vehicles have no need to identify traffic messages having the broadcast service area code matching a predetermined broadcast service area code because the beacon system messages provide information only for the road on which the beacon is located. Thus, the invention of Claim 1 is a significant improvement over the traffic beacons of the Nakashima patent. The beacons only broadcast traffic messages pertaining to the road along which the beacon is located. The recited claim elements allow for geographic location filtering of the traffic messages. For example, if the traffic messages are transmitted via satellite radio, the traffic messages are for a large geographic area. Using the broadcast service area codes associated with the traffic messages, a user can filter the traffic messages to obtain the most geographically relevant messages without processing all of the messages. In the traffic beacon system, users receive and process all traffic messages broadcasted by the beacons. Accordingly, the Nakashima patent fails to disclose or suggest the claim elements.

Moreover, the final office action cited the Pournain patent as filtering traffic messages at column 4, lines 13-21. (see Final Office Action, page 3). Applicant respectfully points out that Pournain discloses filtering voice guidance and map display information and fails to disclose traffic information. The Pournain system offers two modes: normal guidance and enhanced guidance. In normal guidance, the turn information may be excessively filtered to reduce unnecessary communication with the driver. In enhanced guidance, the turn information is presented in complete detail. (see: Pournain, Figs. 2 & 3). Thus, Pournain fails to disclose or suggest the end user computing platform identifying traffic messages having the broadcast service area code matching a predetermined broadcast service area code.

For at least these reasons, Claim 1 is patentable over the cited references.

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#### Claim 14

Applicant's amended independent Claim 14 recites "using a data structure to identify said broadcast service area code from said location reference code to identify said broadcast service area in which said traffic condition is located." Applicant's Claim 14 is not anticipated by Nakashima because Nakashima completely fails to disclose or suggest this claim element. In fact, the Nakashima patent does not provide any details regarding generating the traffic messages broadcast by the beacons. Rather, the description merely indicates that the roadside beacons, which provide traffic congestion information, may be used to pass communications regarding route guidance between the information center and the vehicle. (*see*: Nakashima, col. 2, lines 12-27). Accordingly, Claim 14 is not anticipated by Nakishima.

#### Claim 19

Applicant's amended independent Claim 19 relates to a traffic message providing data indicating a traffic condition. The traffic message comprises a location reference code indicating a location on the road network of the traffic condition, an event code of the traffic condition and a broadcast service area code representing a broadcast service area in which said traffic condition is located. Nakamura fails to disclose or suggest the claim element of the broadcast service area code representing a broadcast service area.

Although Nakashima supports broadcasting traffic data that are location specific (*see*: Nakashima: column 7, lines 12-27), the Nakashima patent fails to disclose or suggest that the traffic messages contain both a location reference code and a broadcast service area code. In fact, the beacon system that broadcasts the location specific traffic messages would never include both the location reference code and the broadcast service area code. The Nakashima patent suggests the opposite of above cited claim elements because the roadside beacons transmit the traffic messages pertaining to the precise road on which the roadside beacon is located. The traffic messages of the beacon system have no need for the recited broadcast service area code because the broadcasted messages provide information only for the road on which the beacon is located.

For at least these reasons, Claim 19 is not anticipated by the Nakashima patent.

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Claims 2-13 and 20-26

Applicant's dependent Claims 2-13 and 20-26 are allowable at least for the reason that they depend upon allowable base claims. In addition, these claims include features that are not disclosed by the cited references.

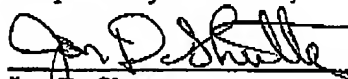
Petition for extension of time

Included with this response is a request for an extension of time to reply to the office action dated November 29, 2005. Included with this response is an authorization for payment of the fee associated with this request.

Conclusion

With the present response, all the issues in the final office action mailed November 29, 2005 have been addressed. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is requested to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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